

SECRETARY OF STATE[721]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 47.1 and 17A.3, the Secretary of State hereby gives Notice of Intended Action to amend Chapter 22, “Voting Systems,” Iowa Administrative Code.

This amendment is necessary to update the administrative rule to reflect the newest version of voting system testing guidelines, approved by the U.S. Election Assistance Commission (EAC) in 2005. The current administrative rule provides that voting systems approved for use in Iowa must meet the Voting Systems Performance and Test Standards as adopted by the Federal Election Commission on April 30, 2002. Passed in 2002, the Help America Vote Act vested authority for approval of future federal voting system standards with the EAC. The 2005 Voluntary Voting System Guidelines (2005 VVSG) were adopted by the EAC in December 2005 and became effective in December 2007. The first voting systems that have been tested to the new standards and certified by the EAC are beginning to appear on the market. Amending this administrative rule will make it possible for these systems to be considered for approval by the Iowa Board of Voting Equipment Examiners.

Any interested person may make written suggestions or comments on this proposed amendment on or before October 25, 2011. Written suggestions or comments should be directed to Sarah Reisetter, Director of Elections, Office of the Secretary of State, First Floor, Lucas State Office Building, Des Moines, Iowa 50319.

Persons who want to convey their views orally should contact the Secretary of State’s office by telephone at (515)281-0145 or in person at the Secretary of State’s office on the first floor of the Lucas State Office Building. Requests for a public hearing must be received by October 25, 2011.

This amendment was also Adopted and Filed Emergency and is published herein as **ARC 9762B**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement 2011 Iowa Code section 52.5.